

**ORDINANCE NO. 18103-05-2008**

**AN ORDINANCE AMENDING ARTICLE VI, AIRPORT ZONING REGULATIONS, OF THE CITY OF FORT WORTH, CODIFIED AS CHAPTER 3, AIRPORTS AND AIRCRAFT, OF THE CODE OF THE CITY OF FORT WORTH, BY AMENDING DIVISION 4, SECTION 3-265, COMPATIBLE LAND USE REGULATIONS, TO ALLOW CERTAIN EDUCATIONAL USES TO BE PERMITTED WITHIN THE ALLIANCE AIRPORT OVERLAY DISTRICT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Code addresses specific regulations for each of the City's Municipal Airports; and

**WHEREAS**, the area surrounding the Alliance Airport is a Growth Center that is intended to encourage certain types of educational and employment opportunities; and

**WHEREAS**, the current Code does not support training and business activities at Alliance and the City Council has determined that certain education uses would be appropriate at Alliance Airport;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH:**

**SECTION 1.**

Article VI, Section 3-265, "Compatible Land Use Regulations" of Chapter 3, "Airports and Aircraft" of the City Code of the City of Fort Worth, is amended by deleting Section 3-265(a)(2) in its entirety and replacing it with the following:

Sec. 3-265. Compatible land use regulations.

(a) All uses from time to time permitted by any underlying zoning classifications, if any, enacted by political subdivisions and applicable to the development zone shall be permitted in the development zone except the following uses which are prohibited in this development zone:

(2) Kindergarten through 12<sup>th</sup> grade educational uses and child care facilities. All other educational uses, including, without limitation, colleges and universities, including courses offered by colleges and universities which serve as credit for both college degree programs and high school graduation, facilities for employee or client training, schools for flight instruction and vocational schools shall be permitted as a matter of right in the Development Zone.

## **SECTION 2.**

That this ordinance shall be cumulative of all other ordinances of the City of Fort Worth affecting zoning and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

## **SECTION 3.**

That all rights or remedies of the City of Fort Worth, Texas, are expressly saved as to any and all violations of Ordinance Nos. 3011, 13896 or any amendments thereto that have accrued at the time of the effective date of this ordinance; and as to such accrued violations, and all pending litigation, both civil or criminal, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

## **SECTION 4.**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared void, ineffective or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been

enacted by the City Council without the incorporation herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph or section.

#### **SECTION 5.**

That any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

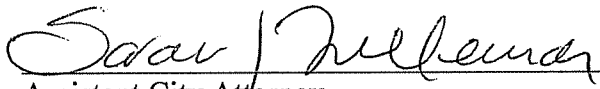
#### **SECTION 6.**

That the City Secretary of the City of Fort Worth, Texas is hereby directed to publish this ordinance for two (2) days in the official newspaper of the City of Fort Worth, Texas, as authorized by V.T.C.A. Local Government Code Subsection 52.013.

#### **SECTION 7.**

That this ordinance shall take effect upon adoption and publication as required by law.

#### **APPROVED AS TO FORM AND LEGALITY:**

  
Assistant City Attorney

Adopted: May 20, 2008

Effective: May 20, 2008